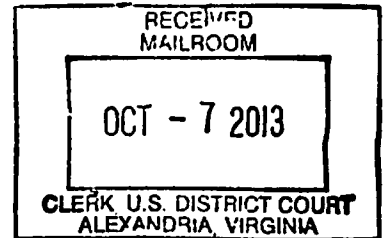


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexander Otis Matthews
plaintiff



v. Case No. _____

Michael Pauze, et al
defendants


1:13 CV 1020

Supplement to Complaint

1. Alexander Otis Matthews, plaintiff, hereby asks the court to append the attached document to the above referenced suit.
2. The complaint was recently transferred to this court from the District Of Columbia US District Court, and the plaintiff does not yet know the case number that has been assigned the complaint by the EDVA court.

Respectfully,

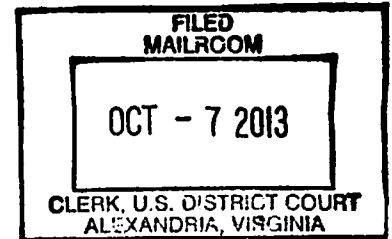
Dated 9/30/13



Alexander Otis Matthews
24394-016
Federal Prison Camp
PO Box 9000
Berlin, NH 03570

IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

Alexander Otis Matthews
appellant



v. Case No.13-6759

United States Of America
appellee

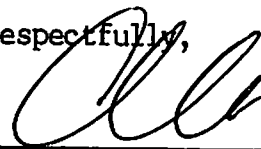
Additional Evidence In Support Of Appellant's
False Evidence Claim And Conflict Of Interest Claim Comprising Manifest Constitutional
Error

1. Alexander Otis Matthews, appellant, swears to his statements herein under penalty of perjury of the laws of the United States, pursuant to 28 USC 1746.
2. The appellant has hitherto demonstrated to this court through his pleadings in this instant appeal the manner in which the government used false evidence in their investigatory and prosecutory stages and that AUSA Michael Pauze concealed from the court that the appellant's lawyer James Zelloe was actively laboring under an actual conflict of interest which had an adverse effect on the appellant's defense.
3. In this pleading the appellant will proffer additional evidence from the 12/22/2010 detention hearing wherein the government's false and perjured evidence and the prejudice to the appellant's defense caused by the actual conflict both converge to result in manifest constitutional error in this proceeding.
4. First of all, Exhibit A is a copy of the transcript from the 12/22/2010 detention hearing where AUSA Michael Pauze is arguing that the appellant be detained because the appellant has contacted the witness against him in violation of his pre-trial conditions of release. At this hearing AUSA Michael Pauze reads directly from FBI Special Agent Alicia Wojtkonski's interview of the witness, Farnoush Ahramizadeh, where the witness states on page 12 and 13 of the transcript that the appellant is initiating contact with her, swears profusely and is verbally abusive to her, and tells her to please tell the government that neither he or she knew about the false documents used in the case. She also says the appellant professes his love for her and desire to marry her, and that the appellant feels that she is the weak point in the case against him and that the government is using her. She also says that she is scared of the appellant.
5. The problem with AUSA Pauze's statements to the court become clear when you read Exhibit B and Exhibit C, private communications sent to the appellant by Ms. Ahramizadeh months before the hearing, wherein Ms. Ahramizadeh paints a picture of the appellant's character and treatment of her diametrically opposite to the perjured testimony presented by AUSA Pauze in open court, that perjured testimony used by AUSA Pauze to revoke the appellant's bail and to later enhance his sentence in a two-point obstruction of justice enhancement. Most critically, in Exhibit B Ms. Ahramizadeh makes it clear that she says to the appellant they didn't know about the false documents used, not that the appellant tells her to say that they didn't know anything about the false documents used to obtain the loan...the false documents and their creation was the central fraud of the prosecution, and the appellant said all along he had no knowledge of their creation or use to get the loan approved. Exhibit B shows Ms. Ahramizadeh making clear to the appellant

that she also knows that neither of them had any knowledge of the documents also, but by the time of this hearing FBI Agents Alicia Wojtkonski and Christine Windness, guided by AUSA Michael Pauze, have pressured Ms. Ahramizadeh to completely alter the truth and to now claim that the appellant is the one pushing her to say what she had emphatically said to the appellant privately just months before. The truth is just what Ms. Ahramizadeh said privately to the appellant, that neither of them had knowledge of the false documents. In their zeal to prosecute the appellant, AUSA Pauze and FBI Agents Wojtkonski and Windness pressured Ms. Ahramizadeh to lie to them and present facts diametrically opposed to what she had represented to the appellant just months before. In the face of this false evidence the appellant was forced to abandon his efforts to defend himself at trial, and as a reward for her perjured testimony used to revoke and convict the appellant AUSA Pauze dropped all charges against Ms. Ahramizadeh WITH PREJUDICE just days after the hearing, action clearly illegal under these circumstances. Not realizing the appellant would retain their private communications, Ms. Ahramizadeh, instead of fearing of being verbally abused by the plaintiff, says that no one in her life has been kinder or more supportive to her and that she has no way to express her gratitude for all the appellant has done to help her in life in many different ways. AUSA Pauze and his FBI agents thus have clearly suborned perjury in this proceeding and the appellant's conviction and sentence must be reversed.

5. Additionally, there is evidence in support of the conflict of interest claim in Exhibit A where both the court and defense counsel James Zelloe express the need to cross examine Ms. Ahramizadeh as to her allegations, but which AUSA Pauze even concedes on page 17 of Exhibit A can't happen because Ms. Ahramizadeh is defense counsel's former client in this very proceeding. The conflict thus prohibited the appellant from properly challenging and exposing this false evidence and testimony, and to protect his perjured evidence AUSA Pauze makes clear several times to the court that he has no intention of allowing Ms. Ahramizadeh to be cross-examined on these allegations, saying that he will only allow the FBI agent Wojtkonski to testify as what she was told, which is hearsay and short of the standard needed to revoke the appellant's pre-trial release. What is important is that the evidence in this transcript further illustrates the degree to which the actual conflict had an adverse effect on the appellant's defense and how it left defense counsel James Zelloe with no choice but to forgoe an objectively reasonable and necessary tactic of cross examining Ms. Ahramizadeh as to her perjured statements due to her being his former client. This predicament meets the textbook definition of a 6th Amendment violation based on an actual conflict of interest having an adverse effect on the defense, is illustrative of the prosecution's knowing use of false evidence, and exposes AUSA Michael's Pauze's machinations to convict the appellant which resulted in his multiple acts of prosecutorial misconduct.

Respectfully,



Dated: 9/30/2013

Alexander Otis Matthews
of Bar Counsel

cc: Elizabeth A. Herman, District of Columbia Office of Bar Counsel
Eastern District Of Virginia US District Court

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DISTRICT

- - - - - x
: UNITED STATES OF AMERICA, :
: : Criminal No. 10-706-RWT
v. :
: **ORIGINAL**
ALEXANDER MATTHEWS, :
: :
Defendant. : Greenbelt, Maryland
: :
- - - - - x December 22, 2010

HEARING

BEFORE: THE HONORABLE CHARLES B. DAY, Judge

APPEARANCES: MICHAEL PAUZE, Esq.
King and Spaulding LLP
1700 Pennsylvania Avenue, NW
Washington, DC 20006
On Behalf of the Government

JAMES THOMAS ZELLOE, Esq.
Stahl, Zelloe PC
11350 Random Hills Road
Suite 700
Fairfax, VA 22030
On Behalf of the Defendant

ALSO PRESENT Alicia Wojkonski, FBI
Pre-Trial Services

Audio Operator: Jessica Cubas

Transcription Company: CompuScribe
5100 Forbes Boulevard,
Suite 101
Lanham, MD 20706
(301) 577-5882

Proceedings recorded by electric sound recording, transcript
produced by transcription service.

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11

1 THE COURT: With the money inside package?

2 MR. ZELLOE: That there was money inside the package
3 for payment.

4 THE COURT: Okay, at some point I will hear you on
5 argument as to why but let me finish with the Government while
6 we are there.

7 MR. PAUZE: And I think also, Your Honor, the
8 defendant does not dispute that he also contacted
9 Ms. Aramazzada since the Court's order that he not contact her.

10 THE COURT: Okay, let me hear about that.

11 MR. ZELLOE: We dispute that, Your Honor. We
12 dispute that he contacted FA.

13 THE COURT: Okay.

14 MR. ZELLOE: What we have stated is that she
15 contacted him.

16 THE COURT: Okay.

17 MR. ZELLOE: And likewise with the other two. As I
18 recall to as the Greek couple.

19 THE COURT: Now, I understand exactly where we are.
20 So let's go to the contact question. Part of it is who struck
21 who or who called who first and while I can understand the
22 legalistic approach, there is something to be said about one
23 answering the phone call and one initiating the call. Go right
24 ahead.

25 MR. PAUZE: Your Honor, let me read from the Special

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12

1 Agent's report of her interview of Ms. Aramazzada which is I
2 said occurred on December 10. The memo was completed on
3 December 13.

4 (Whereupon, a portion of the report was read into
5 the record.)

6 "Since Matthews arrest back in August of this year,
7 he has communicated with Aramazzada through phone
8 calls, e-mails, text messages, Blackberry messenger.
9 Immediately after his arrest, Matthews contacted
10 Aramazzada on Blackberry messenger to tell her
11 about it and stated that he had been ordered by the
12 Court not to have any contact with her but said that
13 was not going to stop him. Aramazzada was in Los
14 Angeles at the time. Matthews also told Aramazzada
15 that he had read the affidavit for the complaint and
16 he knew the information contained in it came from
17 her. Matthews said that it was clear that she is
18 the weak point and that the Government is using her.
19 Matthews also came to her shortly after his arrest
20 and suggested to Aramazzada that they get married.
21 He also harped on her about why she wasn't wearing
22 her hijab. Aramazzada said that Matthews swears a
23 lot and is verbally abusive towards her and she is
24 afraid of him. Matthews said to her at one point
25 that if someone hurts him, then he will hurt them

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1 back. Matthews kept saying to Aramazzada to please,
2 dear, tell the truth and say that we didn't know
3 about the false documents. Aramazzada then always
4 says that she doesn't know about him. Matthews then
5 gets angry and asks if she is accusing him.
6 Aramazzada has asked Matthews on many occasions if
7 he did what he is accused of. This usually results
8 in an argument. Sometimes Matthews says that Sam
9 did it, referring to someone who worked on the deal.
10 Aramazzada said that Matthews handled everything
11 having to do the Wickland Property. Since Matthews
12 arrest, his contact with Aramazzada has been mostly
13 through Blackberry messenger but he has also come
14 over to her apartment to see her in person every two
15 weeks. The most recent visit was two days ago when
16 Matthews came over and brought her groceries.
17 Matthews has brought her groceries two or three
18 times since the arrest. Matthews keeps telling
19 Aramazzada that he loves her and things will change
20 when this is over. Matthews has been texting
21 Aramazzada on Blackberry messenger on an almost
22 daily basis since his August arrest. Matthews has
23 mentioned several times that there is a no contact
24 order issued by the Court with respect to Aramazzada
25 and that she can't tell anyone about them talking."

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1 (Whereupon, reading of the portion of the report was
2 concluded.)

3 THE COURT: Okay. That is interesting since it all
4 comes from the same source, the FA. But I do have one question
5 for the defense. Is the defense conceded or will the defense
6 be conceding that the defendant went to FA's residence? You
7 might want to discuss it with your client first.

8 (Pause.)

9 MR. ZELLOE: Exactly to the answer of that question,
10 Your Honor, Mr. Matthews is conceding as stated in his reply
11 that he took her groceries. As to everything else that was
12 just read from an affidavit, he is not conceding to any of
13 that.

14 THE COURT: Okay.

15 MR. ZELLOE: And that we would ask for, if it is
16 necessary, as terms of for the purposes of credibility of the
17 witnesses sicne we cannot confront this witness or discuss any
18 of this testimony with anything other than from listening to
19 the -- reading of the affidavit from someone else, is that he
20 would need the time to be able to have the ability for his
21 counsel to confront the witness.

22 THE COURT: Oh yes. Oh yes.

23 MR. ZELLOE: But other than the -- as I said, Your
24 Honor, as stated, yes, he did take her groceries.

25 THE COURT: Okay, is there any other evidence that

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1 the Government intends to offer at this time?

2 MR. PAUZE: Not at this time, Your Honor.

3 THE COURT: Okay. Well, one I find that there is
4 certainly sufficient basis for the Government to proceed. And
5 at least there has been a technical violation of my order. No
6 contact. That whether by continuing some dialogue with
7 someone, called, whether it is sending anything in the mail,
8 whether it is going by someone's home even for a humanitarian
9 cause under these circumstances. --- humanitarian enough.

10 But that is not the end of the question. I am
11 concerned about the depth of the violation. Whether it is
12 merely very superficial. And I don't, at this moment, accept
13 the testimony accept the testimony of the Government's witness
14 over any one else but I have to have a witness.

15 You are not going to go free today. Assuming that I
16 can get that witness tomorrow. What is the Government's
17 ability with either ponying up Ms. FA or CH or CK or some
18 technical person who can tell me about the source of these
19 calls? Because I don't know whether to accept FA's
20 representation that these calls are coming versus some
21 electronic technician who can tell me this is where the call
22 was coming from and this -- this number belongs to the
23 defendant in the usual line of inquiries?

24 MR. PAUZE: I guess, Your Honor, I would ask the
25 Court, is the defendant disagreeing or is he refusing to

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1 concede that he sent her Blackberry text messages?

2 THE COURT: I haven't asked him that question
3 directly and it probably is a fair question, I am a little
4 hesitant only because I have already framed up a couple of
5 those when technically the burden is upon the Government first
6 as opposed to kind of piece meal approach as to what I have
7 done here.

8 But it may solve this a little bit, I will ask this
9 one last question. Is he denying that he sent text messages
10 and had other contacts with FA? Well actually he did answer
11 that. I thought you said you denied everything else that was
12 represented in that proffer given by the Government, is that
13 correct?

14 MR. ZELLOE: That is correct, Your Honor.

15 THE DEFENDANT: There is one more thing which I
16 think is important that you --

17 THE COURT: Let me make sure you understand, sir, we
18 already have a dilemma here in that the Government thinks that
19 your counsel should be disqualified. You also have certain
20 rights. You have the right to speak and a right not to speak.
21 But should you speak, understand that anything that you say
22 coming directly from your lips, may be used as evidence as
23 against you. Not only in this proceeding but from this
24 proceeding going forward. So with that admonition, I warn you
25 that you may be wise to speak through counsel, it is up to you.

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1 If you want to tell your counsel something, I will wait until
2 you can tell him?

3 MR. ZELLOE: If you can give us one minute, Your
4 Honor.

5 (Pause.)

6 THE COURT: Anything further from counsel?

7 MR. ZELLOE: No, Your Honor.

8 THE COURT: Okay. So what I have heard has been
9 sort of blanket denial. But I need to find out when you are
10 going to have one of these personal or technical witnesses
11 available.

12 MR. PAUZE: Your Honor, I think that raises the
13 issue of -- I think we can -- I think the Government may submit
14 based on if we can put the agent up to testify and some of the
15 other technical records including some other witnesses rather
16 than putting up Ms. Aramazzada.

17 THE COURT: Okay.

18 MR. PAUZE: I think having her testify raises --
19 directly raises the issue of having counsel cross examine a
20 former client which I just -- I would -- if -- I think I would
21 feel compelled to have that issued resolved before we undertake
22 that. I think Ms. Aramazzada through counsel has indicated
23 that she does not waive that conflict, so I imagine that she
24 would have an issue with respect to being subject to
25 examination by her own lawyer.



Fw: We are meetin jim tomorrow at 2 pm....

alexandermathews87 to: Todd Watson, Tim Sullivan, Brett J. Cook

03/04/2011 09:27 AM

From: alexandermathews87@hotmail.com

To: "Todd Watson" <todd.watson@fd.org>, "Tim Sullivan" <tsullivan@bsm-legal.com>, "Brett J. Cook" <bcook@bsm-legal.com>

Please respond to alexandermathews87@hotmail.com

Here's a very important email from Fannough to me this is on the MD case after the MD State Atty office contacted Jim Zelloe who was my attorney at the time. In it she clearly says that we didn't make those false documents that we were told were found in the submitted package.

-----Original Message-----

From: Verizon

To: A M

Subject: RE: We are meetin jim tomorrow at 2 pm....

Sent: Jun 2, 2009 4:01 PM

Ok, Got ur email. I am not planning to fuck anything up I just do not want to be misinterpreted and for no reason get hurt considering I am innocent and someone else made these documents!!! This implies to you too, we did not do this someone else whoever did and made all these and forged my signatures needs to pay NOT me!!! Neither YOU.. I do NOT want anyone to think or assume the reason that I have not called Dan is that I have done something wrong because I HAVE NOT done anything wrong and I did not do any of these. For God's sake I have NEVER seen these fucking documents in my life!!! Jim told me and you told me that you guys are handling this so that is why I am depending on you guys to handle it. Otherwise, I am ready to talk to the state attorney and tell them that I am totally innocent that is all. I have been ready to talk to them since we met with Jim. He told us they say they have these documents with my signature on them. I DID NOT make these documents and I DID NOT SIGN any of these documents!!! I was so shocked that I ended up at the hospital and I am still on Diazepam. Even when they opened my bank account if they asked me I would have given it to them willingly because I have nothing to hide! May be if I had talked to them they would have asked me willingly and I am not sure why they did not ask Jim that day when they talked that they need my bank records any way. All I am saying is that we did not do anything wrong and we can not and WILL NOT be burnt for some MAFK doing SHIT behind our BACKS!!! To make money!!! I am not taking the blame neither you for someone else's fraudulent activity making false documents, jeopardizing me like this and forging my signature on these documents!!! Dear, I have been letting you handle this anyway the whole time so I will meet you at 1:30 pm tomorrow at Dunn Loring metro station to meet Jim at 2 pm to discuss this further. OK this just came thru too I think its the same as the email.

Subject: Fw: We are meetin jim tomorrow at 2 pm... & To: Fannough23@hotmail.com > From: alexandermathews87@hotmail.com > Date: Tue, 2 Jun 2009 19:29:01 +0000 > > > BMS Text > To: 3015027534 > Sent: Jun 2, 2009 15:05 > Subject: We are meeting jim tomorrow at 2 pm... > > We are meeting jim tomorrow at 2 pm I need to pick u at Dunn Loring station at 1:30pm. I spoke to jim at length and I know what's going on, u are fine just don't get off track with any bs steve or anyone tells u my people have to be under control. Ill tell u when I see YOU.... do not fuck this up the right people are taking care of this I don't need no micky mouse people involved. They don't understand how this works, u nor I have done anything wrong so let me fuckin handle this > Sent via BlackBerry by AT&T &

CD000148

From: alex@verizon.net
To: alexcreality@verizon.net
Subject: Sunday note
Sent: Jul 23, 2007 12:51 AM

My Dear Alexander-- I would like to share my thought and feelings with you. Of course, I miss you very much. At the same time, I would like you to know I appreciate all you have done and gone through for us. I would like you to know that I have deepest appreciation and gratitude for all your guidance and support during the past few years. I like to share my gratitude with you. I think it is nice to share good feelings and thoughts with each other when ever possible. As I said on my previous email I AM COMMITTED TO YOU AND LOVE YOU MUCH MORE THAN EVER. I just think I do not tell you how important and valuable you are to me often. I like to thank you for all you do and have done. Every year around my birthday I sum up how much I have grown and changed in a positive way. To think about all the changes, you have been and are a great true friend, lover, honest guide, family and most important my wonderful man. I am sure you will continue to be in the years to come. I am very blessed to have you my love. I feel more mature and refined and you have played an important role in who I am today. Your support has been very valuable and significant in the past few years. You have supported me through all the hard times, challenges, school, family challenges and numerous events. I am very lucky to have you my love. I am and will always appreciate your guidance and support. Please continue your loving support and guidance. You are not only the man I want to be with all my life, you are lot more, you are my true partner and best friend and family. I love you very much and I am looking forward to our years to come together and to grow more mature and old with you. You have done and are doing so much for me and for us. I hope I do my share and I will continue to do so. I am so in love with you Alexander. I thank God

CD000131

for putting you on my way; you know you became everyone to me in this country. I am very attached to you which has its own ups and downs (I miss you a lot all the time and it is hard to be a part from you) Overall it is wonderful and I look forward to more positive changes in the future. You know looking at you when you open the door is enough some times to feel your love and happiness to be at home with me. The crazy excitement is maddening when I am waiting for you to open the door. When I change to look nice when you come over. I get excited every time we meet. It is such a happy moment when I hear your keys unlocking the door. The anticipation is so nice and exciting. It is very interesting after all this time we both get excited and happy when ever we see each other. It is never the same, it is always new feeling. What a nice feeling it is. It is wonderful.

I feel very happy and impatient when I am waiting for you and when you call and say you are on your way. I know you will be later than the time you told me but that is also you. Your cute sense of timing, it evolves a little bit of delay but it works after all.

When you enter, I always have to take a breath and say to myself stay cool Farnoush, do not jump on him or squeeze him like a lemon. I feel the blood moving faster in my veins. I actually have to cool myself down. I say to myself, ok be cool Farnoush and act like a sensible lady instead of over excited girl. I have to say one of my fav. Moments is the time you lay behind me and hold me tight after we make love. I miss smelling your musky scent babe.

When you enter, I feel warm and happy. I know my love is home. I know my other half is home! strange my other half happened to be darker than me! God mystery!!

You are very handsome Alexander, you are more handsome than the time I met you, do you know that? May be because when I met you, you were just a man, a cute one but that is all. Now you are the man for me, the one who owns my heart.

You have been so patient with me and supported me all a long. I want to thank you and I will thank you as long as I live my dear.

I want you to know that you are one of kind. I am very blessed. We are both blessed. I never knew that my other half was born in such a far place from where I was born (strange but interesting life, God's magic and miracles). And I would find my other half and love him so much (beyond words).

You have been supporting me for a long time. What I am today and what ever success I achieve in life is because of us and your constant kind support. I know I have a lot of personality and I am a lot of woman but you are man enough and more for me. I am sure you can handle me. You have been doing well so far. I know there are times that it is a bit challenge to handle me but I come along. You have a mild personality which is so complimenting to my personal attributes. I am aware that I am a bundle of emotions. I am full of life that is true.

I want to thank you for being so wonderful when I put on weight and I was feeling big. you never made me feel bad. I like my weight now but when I was not happy about my weight you always made me feel good about with you kind comments.

I thank you for getting this place for us. I thank you for getting all the stuff in place. I understand it was difficult. I thank you for everything you have done and are doing.

I am very excited that you will meet my mother and the rest of my siblings within few days. They are very excited too and look forward to see you. I am so grateful for our strong love. God has put us through many tests the past few years and our love has grown much stronger during the past years.

You mean so much to me. I thank you for all you have done for me and for us to get to today. I am confident that our love will increase in the years to come. I look forward to be by your side. I thank you again for all your kindness my dear. I have a great respect and confidence to our love/bond.

For a long time I have been missing you and I am missing you now. Honestly what I most miss is our courtship; watching TV together (watching boxing, drama, comedy,) eating, sitting together and talking, riding with you all the things we used to do together. I am glad that things have changed, I want you to be the only man in my life. The only man who I love, look up to, ask for help and look in to when ever I should. You are the only man that I want to depend on and count on after God you are the one I look up to my dear. Thanks millions times for everything. I hope this message make you smile when you read it in the morning! -) I look forward to our time together. I look forward to spend all my life with you. It has been a good journey and will continue to be wonderful. As you say "we will be okay babe" We are okay and will continue to be with God's grace, mercy and blessings. I love you very much Mr. Alexo
Ps: I have to say that I really appreciate daily communication. We have been together for a long time and we should do not talk about this topic at this point.

I'm making a difference. Make every IM count for the cause of your choice.
Join Now. <<http://q.man.com/8HMAENUS/275277BS-47575>>